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Reds Expected to Free Last Jailed American

NEW YORK, Feb. 12 (AP)—The only American known to be still behind bars in the Soviet Union may soon be released, says the Brooklyn lawyer who negotiated the United States-Soviet spy swap.

But, he added, it is contingent upon an improvement in relations between the two countries.

The prospect of freedom for Marvin W. Makinen, 22-year-old Fulbright scholar serving eight years on spy charges, was expressed last night by James Britt Donovan.

"This is very great news," said William Makinen of Ashburnham, Mass., the student's father. "I hope and pray our boy will be back sooner than we anticipated."

Subject Discussed

Mr. Donovan said the subject of Mr. Makinen's release came up during his talks with Ivan Shishkin, second secretary of the Soviet Embassy in Communist East Germany.

The negotiations resulted in the United States' freeing Col. Rudolf Abel, a Soviet master spy serving 30 years in prison, Russia's freeing Francis Gary Powers, the American U-2 pilot serving 10 years, and East Germany's freeing Frederick L. Pryor, an American student who had been held without trial since August 26.

Mr. Donovan, who was Col. Abel's court-appointed American lawyer in the 1957 trial for espionage, said he viewed the Soviet and East German actions as "a genuine attempt to secure better relations."

He added:

Expected Soon

"I have what I believe to be assurance that if the better relations contemplated by this exchange should develop, the Soviet Union would contemplate a similar clemency to Makinen.

"This may be expected in the near future," Mr. Donovan said. "I regard the negotiations as concluded."

Officials at the United States Embassy in Moscow said they had no information about the possibility of Mr. Makinen's release.

Mr. Makinen, who was studying at the Free University in West Berlin, was seized last July 27 and accused of photographing military installations in Hungary, Czechoslovakia and the Ukraine. He was convicted of espionage and is in prison at Kiev.

"Isn't it wonderful!" exclaimed Mr. Makinen's half-sister, Mrs. Jacob Hayrynen of Garden City, Mich., when told of Mr. Donovan's statement.

No Official Word

"I was hoping that Mr. Donovan could work on his release. I was hoping that we'd hear something soon. We've heard nothing officially.

"We are hoping and praying that it will be soon."

Mr. Donovan met with reporters shortly after returning to his apartment in Brooklyn from the mission behind the Iron Curtain. The short, athletic-appearing lawyer was obviously tired from his travels.

Capt. Powers' first words as he stepped into West Berlin Saturday, Mr. Donovan recalled, were "Gee, I'm glad to see you!" The lawyer added, "I had never seen him before in my life."

Mr. Donovan said Capt. Powers was astounded by his release. "He told me that as of Tuesday he had concluded he would never be released early," Mr. Donovan said.

Unaware of Others

"Until Powers got into the car to go with me, he had never heard my name, Pryor's name, or Makinen's name."

Asked if the U-2 pilot appeared to have been brainwashed, Mr. Donovan replied, "I don't think so. He appeared perfectly clear, physically and mentally."

Mr. Donovan, an Air Force colonel and a flight surgeon, flew back across the Atlantic with Capt. Powers. The lawyer said the plane landed at an East Coast location he declined to identify and Capt. Powers got out there. Mr. Donovan and the colonel flew on to Andrews Air Force Base.

Asked the reason for the secrecy cloaking Capt. Powers in the United States, Mr. Donovan replied, "Everyone is agreed that the fellow is entitled to a little privacy for awhile—as I'm going to look forward to after this news conference is over."

MARVIN W. MAKINEN
—AP Wirephoto

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